REMARKS

The Office Action mailed on September 18, 2006 has been given careful consideration by applicant. Reconsideration of the application is requested in view of the amendments and comments herein. Claims 3, 12, 18, 19, and 21 have been amended. Claim 2 has been cancelled and claim 21 has been added.

The Office Action

Claims 3, 12, 18, 19, and 21 are objected to because of minor informalities;

Claims 1, 10-13 and 15 are rejected under 35 U.S.C. §102(b) as being anticipated by Kubota (US Patent No. 6,041,323);

Claims 3-7 and 16-21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kubota in view of Gilfillan et al. (US PG Pub. No. 2002/0165856);

Claims 8-9 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kubota in view of Withgott et al. (US Patent No. 5,748,805); and

Claim 14 is rejected under 35 U.S.C. §103(a) as being unpatentable over Kubota in view of Cofino et al. (US PG Pub. No. 2005/0187931).

Objection

The Examiner has objected to claims 3, 12, 18, 19, and 21 in their current form because of minor informalities. Withdrawal of these objections is respectfully requested as these claims have been amended herein to cure such informalities and are now corrected.

Anticipation Rejection

The Examiner has rejected claims 1-2, 10-13 and 15 under 35 U.S.C. §102(b) as being anticipated by Kubota (US Patent No. 6,041,323). This rejection should be withdrawn for at least the following reasons. Kubota does not teach or suggest the subject invention as set forth in the subject claims.

Independent claim 1 recites a method for identifying output documents similar to an input document. A predefined number of keywords are identified from a first list of rated keywords extracted from the input document to define a list of best keywords; the list of best keywords having a rating greater than other keywords in the first list of keywords except for keywords belonging to a domain specific dictionary of words and having no

measurable linguistic frequency. A query is formulated using the list of best keywords and the query is performed to assemble a first set of output documents. Lists of keywords are identified for each output document in the first set of documents and a measure of similarity between the input document and each output document in the first set of documents is computed. A second set of documents is defined with each document in the first set of documents for which its computed measure of similarity with the input document is greater than a predetermined threshold value; wherein the list of best keywords has a maximum number of keywords less than the number of keywords in the list of best keywords that are identified as belonging to a domain specific dictionary of words and having no measurable linguistic frequency. Each document in the second set of documents is identified as being one of a match, a revision, and a relation of the input document. Kubota does not teach or suggest such claimed aspects of the subject invention.

More particularly, Kubota does not teach or suggest Kubota does not teach or suggest identification of a second set of documents (e.g., output documents) as being one of a match, a revision, and a relation of the input document. As disclosed in the subject specification, each document in the second set of documents is identified as one of a match, a revision, and a relation that is a result of a distance measurement that is made to determine the closeness of the first (input) document is to a second (output) set of documents. There is no such teaching in Kubota. Rather, Kubota merely describes a system that allows a user to compare a document to one or more documents in a storage medium. This comparison can include a single document or a plurality of documents or parts of one or both.

In particular, Kubota discloses a character string from the input document that is extracted and a determination is made as to whether the extracted character string is a candidate character string. If the string is designated as a candidate, the frequency of the candidate in the input document is compared to one or more portions of one or more documents. Character strings are determined to be similar to the designated character string with a predetermined similarity factor or higher including a character string with a similarity factor of one hundred percent. There is no mention, and Kubota does not teach or suggest, a designation of any documents as one of a match, a revision, and a relation of the input document, as recited in the subject claims. Instead, Kubota only makes a determination of the similarity and frequency of one or more characters strings in relation to

one or more designated input character strings. There is no mention of designating an input document compared to one or more output documents as one of a match, a revision, and a relation.

The standard for rejection of a claim under 35 U.S.C. §102(b) is that "[a] single prior art reference anticipates a patent claim only if it expressly or inherently describes **each and every limitation** set forth in the patent claim. *Trintec Industries, Inc., v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 U.S.P.Q.2D 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as **complete detail as is contained in the ... claim**. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Here, there is no mention, teaching or suggestion in Kubota of a match, a revision or a relation designation to any comparison document as it relates to any input document. This is equally true with regard to one or more input strings in relation to one or more comparison strings – there is no teaching or suggestion of a match, a revision or a relation identification. Kubota merely discloses the identification, extraction and similarity of an input character string to one or more comparison character strings. The systems and methods disclosed in Kubota do not contemplate identification of the comparison character strings. Thus, Kubota does not teach or suggest each and every limitation set forth in the subject claims nor does Kubota show the invention in as complete detail as the subject claim. Accordingly, Kubota does not meet the standard set for the under 35 U.S.C. §102(b) as asserted by the examiner.

For at least the aforementioned reasons, Kubota does not teach or suggest the subject invention as recited in independent claim 1 (or claims 10-13, and 15 which depend therefrom). Accordingly, withdrawal of this rejection is respectfully requested.

First Obviousness Rejection

The examiner has rejected claims 3-7 and 16-21 under 35 U.S.C. §103(a) as being unpatentable over Kubota in view of Gilfillan et al. (US PG Pub. No. 2002/0165856). This rejection should be withdrawn for at least the following reasons. Kubota in view of Gilfillan et al. do not teach or suggest the subject invention as set forth in the subject claims.

Independent claim 16 (and similarly independent claim 18) recites a method for computing ratings of keywords extracted from an input document. A determination is made

as to whether each keyword in the list of keywords exists in a domain specific dictionary of words. A frequency of occurrence in the input document for each keyword in the list of keywords is determined. For each keyword identified that exists in the domain specific dictionary of words, each keyword is assigned its linguistic frequency if one exists from a database of linguistic frequencies defined using a collection of documents. A linguistic frequency is assigned to a predefined small value if one does not exist in the database of linguistic frequencies. For each keyword that was not identified in the domain specific dictionary of words at, each keyword is assigned its linguistic frequency if one exists in the database of linguistic frequencies. For each keyword in the list of keywords to which a term frequency and a linguistic frequency are assigned, a rating corresponding to its importance in the input document that is a function of its frequency of occurrence in the input document and its frequency of occurrence in the collection of documents is computed. A query reduction is performed by removing at least one keyword in the list of best keywords that is identified as belonging to a domain specific dictionary and having no measurable linguistic frequency if an insufficient number of results are obtained from the list of keywords. Kubota does not teach or suggest such claimed aspects of the subject invention.

Contrary to the examiner's assertions, Gilfillan does not teach or suggest performing a query reduction by removing at least one keyword in the list of best keywords that is identified as belonging to a domain specific dictionary and having no measurable linguistic frequency if an insufficient number of results are obtained from the list of keywords. Although Gilfillan teaches structuring and refining searches over a wide array of disparate data sources, it does not teach or suggest performing a query reduction by removing at least one keyword in the list of best keywords that is identified as belonging to a domain specific dictionary and having no measurable linguistic frequency if an insufficient number of results are obtained from the list of keywords, as recited in the subject claims.

Independent claim 20 recites an article of manufacture wherein each document in the second set of documents is identified as being one of a match, a revision, and a relation of the input document. In addition, a query reduction is performed if the second set of document contains an insufficient number of output documents by removing at least one keyword in the list of best keywords that is not the keyword that is identified as belonging to

a domain specific dictionary and having no measurable linguistic frequency. For at least the reasons mentioned above, Kubota does not teach or suggest these limitations.

For at least the aforementioned reasons, Kubota in combination with Gilfillan does not teach or suggest the subject invention as recited in independent claims 16, 18, or 20 (or claims 17, 19, and 21 which respectively depend therefrom). Moreover, claims 3-7 depend from independent claim 1 and Gilfillan does not make up for the aforementioned deficiencies of Kubota regarding identification of a second set of documents (e.g., output documents) as being one of a match, a revision, and a relation of the input document. Accordingly, withdrawal of this rejection is respectfully requested.

Second Obviousness Rejection

The examiner has rejected claims 8-9 under 35 U.S.C. §103(a) as being unpatentable over Kubota in view of Withgott et al. (US Patent No. 5,748,805). This rejection should be withdrawn for at least the following reasons. Claims 8-9 depend from independent claim 1, and Withgott et al. does not make up for the aforementioned deficiencies of Kubota regarding performing a query reduction by removing at least one keyword in the list of best keywords that is identified as belonging to a domain specific dictionary and having no measurable linguistic frequency if an insufficient number of results are obtained from the list of keywords. Thus, for at least the reasons discussed above with respect to claim 1, the combination of Kubota and Withgott et al. do not teach or suggest the subject claims. Accordingly, the rejection of this claim should be withdrawn.

Third Obviousness Rejection

The examiner has rejected claim 14 under 35 U.S.C. §103(a) as being unpatentable over Kubota in view of Cofino et al. (US PG Pub No. 2005/0187931). This rejection should be withdrawn for at least the following reasons. Claim 14 depends from independent claim 1, and Cofino et al. does not make up for the aforementioned deficiencies of Kubota regarding performing a query reduction by removing at least one keyword in the list of best keywords that is identified as belonging to a domain specific dictionary and having no measurable linguistic frequency if an insufficient number of results are obtained from the list of keywords. Thus, for at least the reasons discussed above with respect to claim 1,

the combination of Kubota and Cofino et al. do not teach or suggest the subject claim. Accordingly, the rejection of these claims should be withdrawn.

CONCLUSION

For the reasons detailed above, it is submitted all claims remaining in the application (Claims 1, and 3-21) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

No additional fee is believed to be required for this Amendment. However, the undersigned attorney of record hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Deposit Account No. 24-0037.
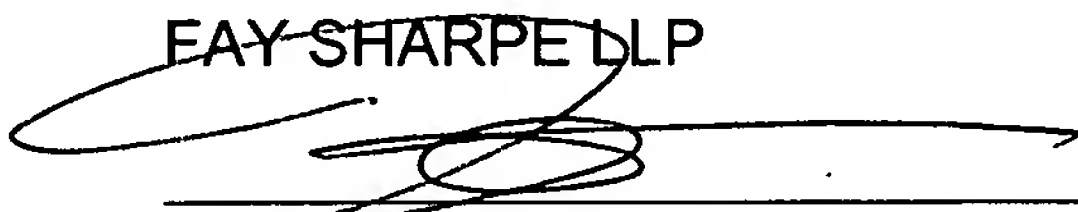
In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Mark Svat, at Telephone Number (216) 861-5582.
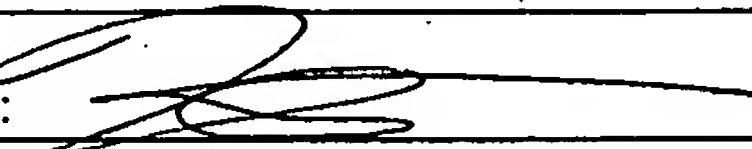
Respectfully submitted,

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1/18/07

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